

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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HOWARD GALE and RONA GILBERT,

Docket No. 05 CV 2450

Plaintiff(s),

-against-

ANSWER

ECF CASE

SERVICE UNLIMITED,

Defendant(s).
-----X

JOSEPH A. MARIA, P.C., as attorneys for SERVICE UNLIMITED, answer the complaint of the plaintiff as follows:

FIRST: Denies each and every allegation contained in paragraphs designated:

4, 5, 6, 7, 8, 10, 11, 12, 14, 16 (no copy attached), 19, 20, 21, 22, and 23.

SECOND: Denies knowledge and information to form a belief as to each and every

allegation contained in paragraphs designated: 1, 2, 15, and 18.

THIRD: Denies each and every allegation, but leaves all question of law to the Court,

in paragraphs designated: 13.

FOURTH: This answering defendant repeats and realleges all of the above denials

and denies knowledge and information set forth in paragraphs designated: None.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

FIFTH: The amount in controversy does not exceed \$75,000.00 therefore the

Complaint must be dismissed in its entirety.

WHEREFORE, defendant demands judgment dismissing the plaintiff's complaint herein, together with the costs and disbursements of this action.

Dated: White Plains, New York
January 20, 2006

/s/
Joseph A. Maria (0209)

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Our File No. 08-0428(dj)